

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:14CR00175 AGF
)	
MARK PALMER, et al.)	
)	
Defendants.)	

RESTRAINING ORDER

This matter having come before the Court upon the Government's Motion for Entry of Restraining Order, pursuant to Title18, United States Code, Section 982, which incorporates provisions of Title 21, United States Code, Section 853, and it appearing to the satisfaction of the Court that:

1. A Federal Grand Jury has returned an Indictment wherein that included an allegation that certain property would, in the event of conviction, be subject to forfeiture pursuant to Title 21, United States Code, Sections 853 and 970, Title 18, United States Code, Section 982(a)(1), and Title 28, United States Code, Section 2461(c), including but not limited to the following property:

- (o) 660 Erica Drive, Granite City, Illinois, 62040; and
- (p) The real property totaling approximately 21.13 acres located in the Carmi Township, White County, Illinois.

2. The Government has moved for an Order, pursuant to Title18, United States Code, Section 982, which incorporates provisions of Title 21, United States Code, Section

853(e), to preserve the availability of certain potentially forfeitable assets, more described fully below, and to prevent the alienation, encumbering or wasting of those assets;

3. Reasonable cause has been shown for the entry of a restraining order to preserve the property described below based upon the Indictment and the Motion and Memorandum submitted by the Government;

It is, therefore, the order of this Court that this restraining order issue, to wit:

a. That any beneficiaries, designees, or trustees, their agents, servants, employees, attorneys, family members, or others having any interest or control over the property described below, shall not, without approval of this Court following notice to the Government and an opportunity for the Government to be heard, do any of the following with regard to the property described below:

Alienate, dissipate, transfer, sell, assign, lease, pledge, encumber, or dispose of the property in any manner, directly or indirectly;

Cause the property to be alienated, dissipated, transferred, sold, assigned, leased, encumbered, or disposed of in any manner;

Take, or cause to be taken, any action which could have the effect of concealing or moving the property from the jurisdiction of this Court, or that would have the effect of depreciating, damaging or in any way diminishing the value of the property.

b. It is further Ordered that if the property described below is transferred or disposed of by any means, the party or parties responsible for its disposal or transfer shall account to the Court for the disposition and location of the property, which may include the relinquishing of all proceeds obtained from any sale, auction, or other disposition.

c. It is further Ordered that, Defendants shall be served with a copy of this Order.

d. It is further Ordered that the Defendants will be permitted, in the alternative to the other provisions of this Order, to execute a performance bond found satisfactory to this Court, pursuant to Title 21, United States Code, Section 853(e)(1),

e. The following are the assets and property affected by this Order:

i. 660 Erica Drive, Granite City, Illinois, 62040 more particularly described as:

Lot 94 in emerald meadows plat 3, a subdivision in the east half of section 15, township 3 north, range 9 west of the third principal meridian according to the plat thereof recorded in plat cabinet 62 page 145, (excepting therefrom the coal, gas, oil and other mineral rights conveyed, excepted or reserved in prior conveyances, if any) in Madison County, Illinois,

Parcel number 17-2-20-15-02-204-017; and

ii. The real property totaling approximately 21.13 acres located in the Carmi Township, White County, Illinois, more particularly described as:

Part of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section Twenty-two (22), Township Five (5) South, Range Nine (9) East of the Third Principal Meridian, in White County, Illinois and more particularly described as follows:

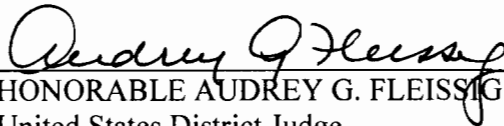
Commencing at an existing Two (2) inch diameter Iron Pipe found at the Southwest Corner of said West Half (W 1/2) of the southwest Quarter (SW 1/4) of Section 22-5-9; thence on an assumed bearing of North 00 degrees 00 minutes 00 seconds East along the West Line of said West Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 22-5-9 a distance of 1507.81 feet to a Spike Nail found in the center of County Road 900E on the Northwestern Right-of-Way Line of Illinois Highway One (1) and this Point being the Point of Beginning; thence continuing North 00 degrees 00 minutes 00 seconds East along said center of County Road 900E and also along said West Line of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 22-5-9 a distance of 1120.21 feet to an existing Railroad Spike found in the intersection of said County Road 900E and County Road 1350N at the Northwest Corner of said West Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 22-5-9; thence North 89 degrees 45 minutes 50 seconds East along the North Line of said west Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 22-5-9 and also along said County Road 1350N a distance of 1326.45 feet to an existing Spike Nail found at the Northeast Corner of said West Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 22-5-9; thence South 00 degrees 03 minutes 39 seconds East along the East Line of said West Half (W 1/2) of the Southwest Quarter (SW 1/4) of section 22-5-9 a

distance of 327.38 feet to an existing Concrete Right-of-Way Marker found on said East Line of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 22-5-9 and this Point also being on said Northwesternly Right-of-Way Line of Illinois Highway One (1); thence along the following calls on said Northwesternly Right-of-Way Line; South 67 degrees 55 minutes 13 seconds West a distance of 194.68 feet; thence South 64 degrees 44 minutes 32 seconds West a distance of 402.00 feet; thence South 59 degrees 01 minute 54 seconds West a distance of 200.00 feet; thence South 44 degrees 41 minutes 50 seconds West a distance of 313.66 feet; thence South 56 degrees 01 minutes 32 seconds West a distance of 409.53 feet; thence North 77 degrees 36 minutes 57 seconds West a distance of 31.58 feet to an existing Concrete Right-of-Way Marker found on said Northwesternly Right-of-Way Line of Illinois Highway One (1); thence South 74 degrees 52 minutes 51 seconds West along said Northwesternly Right-of-Way Line of Illinois Highway One (1) a distance of 20.94 feet to the Point of Beginning, containing 21.13 acres, more or less.

Except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any.

Parcel number 13-22-300-007.

So Ordered, this 27th day of June, 2014.


HONORABLE AUDREY G. FLEISSIG
United States District Judge